

Message Text

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DRAFTED BY EUR/SOV:RLBARRY:MB

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E.O. 11652:GDS

TAGS: OREP(HUMPHREY, HUBERT. AND SCOTT, HUGH), PFOR, UR

SUBJECT: CODEL HUMPHREY/SCOTT; REFLECTIONS ON TRADE AND
EMIGRATION

FOLLOWING IS CORRECTED COPY OF MESSAGE SENT FROM HUMPHREY/
SCOTT AIRCRAFT JULY 7:

QUOTE: FOR H AND EUR/SOV FROM BARRY

1. ALTHOUGH THERE HAS BEEN NO GENERAL DISCUSSION AMONG
DELEGATION SINCE MOSCOW MEETINGS ABOUT TRADE AND EMIGRATION
A CONSENSUS OF A SORT HAS DEVELOPED AS TO WHAT NEXT STEPS
MIGHT USEFULLY BE TAKEN TO BREAK CURRENT IMPASSE. IN VIEW
OF POSSIBILITY THAT CODEL WILL MEET WITH SECRETARY SOON
AFTER RETURN THESE THOUGHTS ARE PASSED ON, WITH CAUTION
THAT THEY ARE FAR FROM DEFINITIVE AT THIS TIME. IN SUM,
FEELING IS THAT IT WOULD BE A SERIOUS MISTAKE FOR ADMINIS-
TRATION TO COME UP WITH SPECIFIC PROPOSALS FOR AMENDING
JACKSON-VANIK NOW. RATHER, SENATE SHOULD BE LEFT TO COME
UP WITH ITS OWN INITIATIVE, WHICH WOULD PROBABLY BE TO
UNTIE JACKSON-VANIK FROM EXIM LEGISLATION AND RAISE BUT
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PROBABLY NOT ELIMINATE \$300 MILLION CEILING.

2. DESPITE LETTER FROM PRESIDENT TO FOUR COMMITTEE CHAIR-

MEN PROMISING TO SUBMIT PROPOSALS FOR AMENDING TRADE ACT WHICH WAS HANDED OVER TO SOVIETS IN MOSCOW, MANY BELIEVE THAT ANY SUGGESTIONS FROM ADMINISTRATION AT THIS POINT WOULD CONFUSE PROCESS OF ARRIVING AT CONSENSUS IN THE SENATE. JAVITS HAS SAID HE IS COMMITTED TO TRY TO FIND A WAY OUT OF IMPASSE, ESPECIALLY AFTER HIS TRIP, AND RIBICOFF HAS INDICATED HE CAN BE COUNTED ON TO ASSIST IN THIS PROCESS. PREMATURE SUGGESTIONS FROM EXECUTIVE BRANCH COULD ONLY RESULT IN PROTRACTED NEGOTIATIONS WHICH WOULD HAVE TO INCLUDE JACKSON. SEMINAL PROCESS WITH RIBICOFF AND JAVITS CAN AND SHOULD BE ENCOURAGED, BUT PREEMPTING THEIR INITIATIVE MAY WELL FORCE THEM INTO OPEN OR BEHIND-THE-SCENES OPPOSITION.

3. ALTHOUGH SOVIETS DISPLAYED NO FLEXIBILITY ON GENERAL EMIGRATION QUESTION IN OFFICIAL DISCUSSIONS OR PRIVATE TALKS, EXPECTATION THAT THERE WOULD BE MOVEMENT ON SOME PROBLEM CASES RAISED BY CODEL WAS CULTIVATED. WITHOUT SUCH A MOVE FROM SOVIET SIDE IT WILL BE VERY DIFFICULT TO PERSUADE JAVITS, RIBICOFF AND OTHERS TO WORK FOR A REVISION OF JACKSON-VANIK OR EXIM LEGISLATION.

4. THERE IS WIDESPREAD PESSIMISM AS TO POSSIBILITY OF REVISING JACKSON-VANIK TO PERMIT EXTENSION OF MFN BEFORE 1977 WHATEVER HAPPENS, GIVEN EMOTIONS ALREADY STIRRED UP ON THIS ISSUE. UNTYING JACKSON-VANIK FROM EXIM LEGISLATION IS MUCH LESS CONTROVERSIAL, BOTH WITH JEWISH ACTIVISTS IN USSR AND WITH JEWISH GROUPS IN US. IT IS THIS THAT JAVITS, RIBICOFF, AND HUMPHREY MAY CHOOSE TO PURSUE ON THEIR RETURN. THEY WOULD EXPECT SOVIET PERFORMANCE ON EMIGRATION TO IMPROVE FOLLOWING SUCH A MOVE, BUT MAY NOT REQUIRE "ASSURANCES" FROM SOVIETS OR EXECUTIVE.

5. CONCERNING TIMING, FEELING IS THAT WHATEVER IS TO BE DONE SHOULD BE INITIATED AS SOON AS POSSIBLE AND THAT SITUATION CAN ONLY BE MORE DIFFICULT IN LATE 1975 AND 1976. IF SOVIETS NOW MOVE TO PERMIT PROMINENT REFUSENIKS
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TO LEAVE, THIS WOULD BE TIME FOR SENATE TO MOVE.

6. ANOTHER IDEA WHICH HAS BEEN DISCUSSED BY HUMPHREY AND OTHERS IS THAT OF GRANTING MFN BY REVISING JACKSON AMENDMENT TO PROVIDE MFN FOR ALL STATES WHICH PRESIDENT CERTIFIES LIVE UP TO PRINCIPLES OF UN DECLARATION OF HUMAN RIGHTS, WITH CONGRESS OCCASIONALLY BEING GIVEN RIGHT TO REVIEW PRESIDENTIAL FINDING. THIS IS WIDELY SEEN TO HAVE MORE PITFALLS, HOWEVER, BECAUSE IT INVOLVES DEALING HEAD-ON WITH EMOTIONAL MFN ISSUE AND BECAUSE IT WOULD INVOLVE GETTING SOVIET AGREEMENT TO "CONDITIONAL" MFN, AT LEAST THE TIME FRAME. END QUOTE KISSINGER

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